

REMARKS:

Claims 1-41 are pending the present application and have been restricted.

Claims 2-5 have been canceled, claims 1, 7-19 have been amended, and claims 30-41 have been withdrawn from consideration, leaving Claims 1, 6-29 for consideration upon entry of the present Amendment. Claims 6 and 28 are not withdrawn as these claims read on the presently elected invention.

Restriction/Election

Applicants herein provisionally elect, with traverse “cryptoanshinone” from Group A, “1 β -hydroxycryptotanshinone” from group B, and “obesity” from Group C. This election is being made without prejudice to Applicants’ rights with respect to the other groups, including the right to file divisional applications thereon.

Applicants submit that elected “cryptoanshinone” from Group A, “1 β -hydroxycryptotanshinone” from group B, and “obesity” from Group C encompasses claims 1 and 6-29. As noted above, Claims 6 and 28 are not withdrawn as these claims read on the presently elected invention. For the Restriction Requirement dated August 16, 2007, Applicants incorrectly interpreted the Examiner’s instructions to mean that Applicants were required to elect a single species to which the claims shall be restricted, and not to select a **single specific** species for **each** of species A, species B, and species C. As a result of this misunderstanding, claims 6 and 28 were mistakenly withdrawn in the Response filed on September 12, 2007.

Applicants election is made with **traverse** for the following reasons. Claim 1 is directed to a composition for preventing or treating obesity and metabolic syndrome diseases. Further, claim 1 recites the limitation, “wherein the Danshen extract comprises two or more compounds selected from the group consisting of cryptotanshinone, tanshinone IIA, tanshinone I and 15,16-dihydrotanshinone I”.

Thus, Applicants respectfully submit that presently amended claim 1 is intended to

define that the distinguishable feature of the present invention is directed to a mixture (composition) of two or more compounds from the specific compounds identified in claim 1. Such a mixture shows a significant synergistic effect, which is supported by the Specification at page 14, lines 6-12 and Figures 17-19 showing the experimental results. For convenience, Applicants have reproduced page 14, lines 6-12 of the Specification below.

More surprisingly, the present inventors have confirmed that enhancement effects of cryptotanshinone, tanshine IIA, tanshinone I and 15,16-dihydrotanshinone I on AMPK activity is significantly increased by combinational use of two or more of these compounds. Such a significant synergistic effect was not totally predicted and it was also confirmed that such effect was exhibited, regardless of kinds of those four tanshinone derivatives. Therefore, among combinations of the above-mentioned compositions, compositions (v) through (viii) are particularly preferred.

Accordingly, Applicants respectfully submit that the present invention must be understood to be directed to composition comprising two or more compounds selected from the group consisting of cryptotanshinone, tanshinone IIA, tanshinone I and 15,16-dihydrotanshinone I.

Prosecution on the merits is respectfully requested. Consideration and allowance of Claims 1, 7-27 and 29 are also requested. The foregoing is believed to be fully responsive to this office action.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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